

CITY OF SOUTH FULTON, GEORGIA
South Fulton Service Center Auditorium, 5600 Stonewall Tell Road
Tuesday, August 22, 2017, 5:00PM



The Honorable William “Bill” Edwards, Mayor (present)
The Honorable Catherine F. Rowell, District 1, Mayor Pro Tem (present)
The Honorable Carmalitha Gumbs, District 2 Councilmember (present)
The Honorable Helen Z. Willis, District 3 Councilmember (present)
The Honorable Naeema Gilyard, District 4 Councilmember (present)
The Honorable Rosie Jackson, District 5 Councilmember (present)
The Honorable khalid kamau, District 6 Councilmember (present)
The Honorable Mark Baker, District 7 Councilmember (present)

WORK SESSION MINUTES

The Work Session was called to order by Mayor Edwards at 5:00pm.
Following roll call, a quorum was present.

- Review of the August 22, 2017 Regular Meeting Agenda

Hearing no procedural questions, the Mayor asked members of Council if anyone had a need for an Executive Session. Hearing none, the Mayor entertained a motion to adjourn the Work Session.

- Executive (CLOSED) Session regarding personnel, litigation or real estate matters, if necessary **(None held)**

A motion was made by Councilmember Jackson and seconded by Mayor Pro Tem Rowell to adjourn the Work Session. The motion passed unanimously, 7-0-0.

The Work Session was adjourned at 5:04pm.



DIVIDER SHEET



The Honorable William “Bill” Edwards, Mayor (present)
The Honorable Catherine F. Rowell, District 1, Mayor Pro Tem (present)
The Honorable Carmalitha Gumbs, District 2 Councilmember (present)
The Honorable Helen Z. Willis, District 3 Councilmember (present)
The Honorable Naeema Gilyard, District 4 Councilmember (present)
The Honorable Rosie Jackson, District 5 Councilmember (present)
The Honorable khalid kamau, District 6 Councilmember (present)
The Honorable Mark Baker, District 7 Councilmember (present)

REGULAR MEETING MINUTES

1. Call to Order

The meeting was called to order by Mayor Edwards at 7:00pm.
Following the roll call, all members were present.

2. Invocation

The invocation was rendered by Pastor Warren L. Henry, Sr.

3. Pledge of Allegiance

The Pledge of Allegiance was recited in unison.

Following the pledge, Mayor Edwards recognized City of Fairburn Councilwoman Liz Hurst, former County Commissioner Robb Pitts and Linda Pritchett, a candidate for State Senate District 39.

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4. Approval of the Consent Agenda
 - a. Meeting Minutes – Tuesday, August 8, 2017
 - b. Meeting Minutes – Tuesday, August 15, 2017
 - c. Proclamation recognizing Teaching Hodari Sadiki Williams Appreciation Day. **(Edwards)**

A motion was made by Councilmember khalid and seconded by Councilmember Jackson to approve the Consent Agenda. The motion passed unanimously, 7-0-0.

5. Approval of the Regular Meeting Agenda
 - a. **A motion was made by Councilmember khalid and seconded by Councilmember Baker to amend the agenda by adding five pieces of legislation as follows:**
 - **A resolution to require regular budget reports. (khalid)**
 - **An ordinance to amend existing ordinance no. 2017-003 for transparency in Mayoral and City Manager appointments. (khalid)**
 - **An ordinance to amend existing ordinance no. 2017-003 regarding establishing the agenda, office space, formal meetings with the City Manager and others, and Council seating. (khalid)**
 - **A resolution to hire a permanent City Manager. (khalid)**
 - **A resolution to require Council authorization for expenditures of Council funds. (khalid)**

Councilmembers Gumbs, Gilyard, Jackson, khalid and Baker voted yea. Mayor Pro Tem Rowell and Councilmember Willis voted no. Therefore, the motion passed, 5-2-0.

- b. **A motion was made by Councilmember Jackson and seconded by Councilmember khalid to amend the agenda by replacing Amendment #2 to Ordinance No. 2017-015**

with a new version of the previously proposed amendment regarding Sec. 1-6006, Limitation on Employment of Certain Employees. The motion passed unanimously, 7-0-0.

- c. A motion was made by Councilmember khalid and seconded by Councilmember Gilyard to adopt the agenda as previously amended. The motion passed unanimously, 7-0-0.

6. Proclamations and Recognitions

- a. Proclamation recognizing Torrey Tomlinson & Third Annual Old National Day. **(khalid)**
PRESENTED

7. Public Comment

- a. Speakers will be granted up to two minutes each and public comment will not exceed 30 minutes. Speakers will not be allowed to yield or donate their time to other speakers.

The following fourteen (14) citizens offered public comment:

- **Ms. Joyce Armster**, concerning community clean-up on the Old National corridor, August 26, 2017.
- **Ms. Glenda Collins**, questions concerning the Budget and expenditures.
- **Ms. Deborah Robinson Herring**, concerning behavior and expectations of Council at the last meeting, part-time status and responsibilities.
- **Dr. Blanche Bello**, concerning the educational system/schools in South Fulton County.
- **Ms. Linda Pritchett**, concerning Old National Community Clean-up (Committee), 7am – 2pm.
- **Mr. Wayne Hines**, concerning his position against the proposed at-will system (supports the merit system) for firefighters.

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- **Mr. Greg Fann**, concerning employees that need protections (a merit system), the at-will system is not binding.
- **Ms. Teiola Porch**, concerning the personal assistants for Council.
- **Mr. Tommie Stegall**, concerning Cityhood and his work on committees; hiring certain people; a need for better police force; and concerning the in-fighting.
- **Mr. Braxton Becoats**, concerning City Council Aides and the proposed Internship program.
- **Ms. Brenda H. Jenkins**, concerning City Council working together even when they do not agree; the Mayor's comments about frivolous amendments; and concerning listening and supporting one another.
- **Mr. Darris Rollins**, concerning professionalism; everyone doing the right thing and acting as a committee; and approaching the need for Council assistance through google project management.
- **Mr. John Watson**, concerning the fiscal management of the City (spending) and the Council Aides; Council fighting amongst themselves; a thank you to Councilwoman Willis, and to the Mayor for the Zion Hill proclamation.
- **Mr. Louis M. Bell**, concerning his thanks to Council along with a charge with respect to how Council conducts themselves; a problem with 18-wheelers and the need to do something about it; and concerning the trash transfer station at Welcome All that needs regular cleaning.

8. Business

a. Resolution

- i. Resolution authorizing the City to Obtain General Liability Insurance Coverage through the Georgia Municipal Association. **(Res2017-040)**

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A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Gilyard to approve Res2017-040 (General Liability Insurance Coverage). The motion passed unanimously, 7-0-0.

- ii. Resolution adopting the Official Seal for the City of South Fulton. **(Baker - Res2017-041)**

A motion was made by Councilmember Baker and seconded by Councilmember khalid to approve Res2017-041 (Official Seal). Councilmembers Gumbs, Willis, Gilyard, Jackson, khalid, and Baker voted yea. Mayor Pro Tem Rowell voted no. Therefore, the motion passed, 6-1-0.

A friendly amendment was made by Councilmember Willis to remove the religious symbols from the City Seal. The friendly amendment was not accepted.

- iii. Resolution to envision the City of South Fulton as a Smart City. **(Rowell, Willis, and Gumbs – Res2017-042)**

A motion was made by Councilmember Willis and seconded by Councilmember Gumbs to approve Res2017-042 (Smart City), with a friendly amendment by Councilmember Gilyard that was accepted to include the following language:

“The City of South Fulton seeks to partner with institutions of higher education, businesses, nonprofits and other entities in order to support and develop smart technologies and initiatives.”

The motion above passed unanimously, 7-0-0.

- iv. Resolution for City Intern Program. **(Willis – Res2017-043)**

A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Willis to approve Res2017-043 (City Intern Program), with an effective date of September 5, 2017. Mayor Pro Tem Rowell and Councilmember Willis voted yea. Councilmembers Gumbs,

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Gilyard, Jackson, khalid and Baker voted no. Therefore, the motion failed, 2-5-0.

b. Ordinances

- i. **[SECOND READING]** Adoption of Personnel Ordinance and amendment to existing Ordinance No. 2017-003. (Ord2017-015)

A motion was made by Councilmember Jackson and seconded by Councilmember Gumbs to adopt Ord2017-015 (Personnel Ordinance) as amended below, until the Council determines later that they want to change it:

Chapter 6: Municipal Employees

Sec. 1-6001. – At-Will Status and Grievance Procedure

(a) All persons employed by the City shall be on an at-will basis; provided, however, City employees will be afforded the opportunity to participate in a grievance procedure as set forth in the City Personnel Manual; ~~Nothing contained in the City Personnel Manual shall change the employee's at-will status.~~ provided further that Police officers who have not yet attained the rank of major or higher, and Firefighters who have not yet attained the rank of deputy chief or higher, will be subject to a merit system as set forth in the City Personnel Manual.

Mayor Pro Tem Rowell and Councilmembers Gumbs, Willis, Gilyard, Jackson, and Baker voted yea. Councilmember khalid voted no. Therefore, the motion above passed, 6-1-0.

1. Amendment #1 to Ordinance No. 2017-015. (Gilyard)

A friendly amendment was requested by Councilmember Willis that HR not be included in every interview panel. (FRIENDLY AMENDMENT WAS NOT VOTED UPON)

A motion was made by Councilmember Baker and seconded by Councilmember Jackson to approve Amendment #1 as written. (NO VOTE WAS TAKEN ON THIS MOTION)

A motion was made by Councilmember Gilyard and seconded by Councilmember Gumbs to approve Amendment #1 with a provision to Section 1-6005. – Hiring, subsection (a), to add “if possible,” with respect to HR participating in the interview panels. Councilmembers Gumbs, Gilyard, Jackson, and khalid voted yea. Mayor Pro Tem Rowell and Councilmembers Willis and Baker voted no. Therefore, the motion passed, 4-3-0.

**2. Amendment #2 to Ordinance No. 2017-015.
(Jackson)**

A motion was made by Councilmember Jackson and seconded by Councilmember khalid to approve Amendment #2, Sec. 1-6006., as replaced during the adoption of the agenda below:

Sec. 1-6006. – Limitation on Employment of Certain Employees

When an election or appointment results in a new elected or new appointed official, any municipal employee who works in the office of Mayor, serves as an aide to a City Councilmember, or as an assistant to an appointed official, may be reassigned at the request of the newly-elected or newly-appointed official. Nothing in this paragraph shall be deemed to change the at-will status of any employee, including those identified in this ordinance.

The motion above passed unanimously, 7-0-0.

A motion was made by Councilmember Gilyard and seconded by Councilmember Jackson to adopt Ord2017-015 (entire/whole Personnel Ordinance) as previously amended, with a November 1st effective date for the Workforce Plan. A friendly amendment was made by Mayor Pro Tem Rowell to change the effective date for the Workforce Plan to January 1st. The friendly amendment was not accepted. Councilmembers Gumbs, Gilyard, Jackson and Baker

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voted yea. Mayor Pro Tem Rowell and Councilmembers Willis and khalid voted no. Therefore, the motion passed, 4-3-0.

- ii. **[SECOND READING]** Substitute Ordinance #2 - Adoption of amendments to Ordinance No. 2017-012 regarding Board of Code Enforcement, pertaining to renaming the Board. **(khalid - Ord2017-016)**

A motion was made by Councilmember khalid and seconded by Councilmember Baker to approve Ord2017-016 (Board of Code Enforcement). The motion passed unanimously, 7-0-0.

- iii. **[FIRST READING]** Ordinance to Create Title 7 of the City of South Fulton Code of Ordinances, Municipal Courts, to establish Municipal Courts of the City and for Other Related Purposes. **(Ord2017-017)**

A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Gumbs and khalid to amend Section 7-1003 (regarding Additional personnel) to give the Municipal Court Judge the authority to hire or fire a municipal court clerk. The motion passed unanimously, 7-0-0.

- iv. **[FIRST READING]** Ordinance to Create Title 8 of the City of South Fulton Code of Ordinances, Traffic and Vehicles, and to establish general rules of the road for the City of South Fulton. **(Ord2017-018)**

Councilmembers requested to see additional provisions whether contained within or through separate legislation pertaining to the following matters: violations by camera, ATVs and dirt bikes, and trucks of a certain weight or number of wheels.

- v. **[FIRST READING]** Ordinance granting permission and consent to Coweta-Fayette EMC (a franchise agreement). **(Ord2017-019)**

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Mayor Pro Tem Rowell requested the City Attorney to see if the Georgia General Assembly has closed any of the loopholes with respect to the source of funding for the 4% of the gross sales of electric energy to customers.

- vi. **[FIRST READING]** Ordinance relating to mortgages, conveyances to secure debt, and liens; to provide for definitions; to provide for guidelines for vacant and foreclosed property registries; to provide for exemptions; to provide for maximum fees and penalties for registration and failure to register; to provide for appellate rights; to provide for severability; to provide an effective date; to repeal all ordinances and parts of ordinances in conflict herewith; and for other purposes. **(Rowell – Ord2017-020)**

Mayor Edwards raised concerns regarding property owners that do not live within the State and recommended having an “agent of service” within the State.

- vii. **[FIRST READING]** Adoption of Financial Policy Ordinance and Amendment to existing ordinances no. 2017-003 and 2017-007. **(Rowell – Ord2017-021)**

Mayor Pro Tem Rowell recommended an effective date of 2019.

- viii. **[FIRST READING]** Adoption of Debt Policy Ordinance. **(Ord2017-022)**

Mayor Pro Tem Rowell recommended an effective date of 2019.

9. Board Appointments

- i. Request approval of the following Board Appointments:
 - 1. Planning Commission
 - a. Ms. Shatekwa Floyd **(khalid)**
 - 2. Zoning Board of Appeals

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- a. Ms. Sareena Beasley **(khalid)**
- 3. Board of Code Enforcement
 - a. Ms. Violet Crawford **(khalid)**

A motion was made by Councilmember khalid and seconded by Councilmember Jackson to approve the nominations above. The motion passed unanimously, 7-0-0.

- 10. Unfinished Business
 - a. Resolution for Parity of Pay Among Mayor and Council Staff. **(khalid - Res2017-039, approved on August 8, 2017, and vetoed on August 9, 2017)**

A motion was made by Councilmember khalid and seconded by Councilmember Baker to override the Mayor's veto. Councilmembers Gumbs, Gilyard, Jackson, khalid and Baker voted yea. Mayor Pro Tem Rowell and Councilmember Willis voted no. Therefore, the motion passed, 5-0-0.

- 11. City Manager's Weekly Update
 - Merit System
 - Internship Program

Presented by Interim City Manager Ruth C. Jones.

A motion was made by Councilmember khalid and seconded by Councilmember Baker to direct a firm to focus only on naming the City. A friendly amendment was made by Mayor Pro Tem Rowell to allow the Director of Communications to bring a recommendation for selecting and finalizing a name by December 31, 2017. The friendly amendment was not accepted. Councilmembers khalid and Baker voted yea. Mayor Pro Tem Rowell and Councilmembers Gumbs, Willis, Gilyard, and Jackson voted no. Therefore, the motion failed, 2-5-0.

A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Jackson to request the Director of Communications to provide a recommendation/strategy for finalizing and selecting a name for the City of South Fulton to be finalized by December 31, 2017. A friendly amendment was made by Councilmember Baker to include an outward process that allows community input and engagement. The friendly amendment was accepted. Mayor Pro Tem Rowell and Councilmembers Gumbs, Willis, Jackson, khalid and Baker voted yea. Councilmember Gilyard voted no. Therefore, the motion passed, 6-0-0.

Whereupon a motion was made by Councilmember Willis and seconded by Mayor Pro Tem Rowell to suspend the agenda. Councilmember Willis voted yea, therefore the motion failed, 1-6-0.

The Mayor then requested a recess at 11:57pm.

The meeting reconvened at approximately 12:10am.

12. ~~Mayor and City Council Comments (Two minutes each)~~

13. ADD-ON's:

- a. Ord2017-023 - An ordinance to amend existing ordinance no. 2017-003 regarding establishing the agenda, office space, formal meetings with the City Manager and others, and Council seating. (khalid)**

The Interim City Attorney will review the provisions for consistency with the Charter.

Councilmember Baker requested a friendly amendment to strike Sec. 2-2002 (w) (1). The friendly amendment was accepted.

- b. Ord2017-024 - An ordinance to amend existing ordinance no. 2017-003 for transparency in Mayoral and City Manager appointments. (khalid)**

The Ordinance was presented.

- c. Res2017-044 - A resolution to require regular budget reports. (khalid)**

A motion was made by Councilmember khalid and seconded by Councilmember Baker to approve Res2017-044 (Regular Budget Reports) by amending Section 2 to establish monthly reports that are reported for the prior month. A friendly amendment was made by Councilmember Willis to include the provisions of this Resolution within the Budget Ordinance. The friendly amendment was not accepted. Councilmembers Gilyard, Jackson, khalid and Baker voted yea. Mayor Pro Tem Rowell and Councilmembers Gumbs and Willis voted no. Therefore, the motion passed, 4-3-0.

- d. Res2017-045 - A resolution to require Council authorization for expenditures of Council funds. (khalid)**

A motion was made by Councilmember khalid and seconded by Councilmember Baker to approve Res2017-045 (Authorization for expenditures of Council funds). The motion passed unanimously, 7-0-0.

- e. Res2017-046 - A resolution to hire a permanent City Manager. (khalid)**

A motion was made by Councilmember khalid and seconded by Councilmember Baker to approve Res2017-046 (Hiring a permanent City Manager). A friendly amendment was made by Mayor Pro Tem

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Rowell to make the effective date December 31, 2017. The friendly amendment was accepted. All members voted yea, except Councilmember Willis who voted no. Therefore, the motion passed, 6-1-0.

14. Adjournment

A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Jackson to adjourn. The motion passed unanimously, 7-0-0.

The meeting was adjourned at 1:08am.